

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

The Brennan Law Firm, P.C.,)	
)	
Plaintiff,)	
)	
vs.)	Cause No. 05-742-DRH
)	
Norfolk Southern Railway)	
Company, a corporation,)	
)	
and)	
)	
Faerber & Anderson, P.C.,)	
a corporation,)	
)	
Defendants.)	

ORDER

Plaintiff, the Brennan Law Firm, is before the Court seeking to quash a deposition notice issued to Charles Swartwout, setting Swartwout's deposition for December 12, 2005. **(Doc. 11)**. Plaintiff correctly notes that discovery is not permitted prior to the scheduling and discovery conference , which is set for December 27, 2005. ***See Fed.R.Civ.P. 26(d)***.

IT IS THEREFORE ORDERED that plaintiff's motion to quash **(Doc. 11)** is **GRANTED**; the notice of deposition of Charles Swartwout on December 12, 2005 is **QUASHED**, and the deposition is cancelled.

IT IS SO ORDERED.

DATED: December 9, 2005

s/ Clifford J. Proud
CLIFFORD J. PROUD
U. S. MAGISTRATE JUDGE